

MEMO ENDORSED

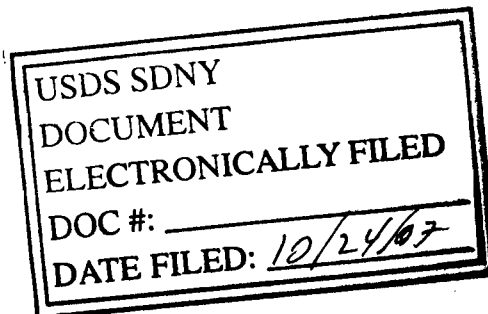


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October 23, 2007

**VIA HAND DELIVERY**

The Honorable Lewis A. Kaplan  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, New York 10007

**Re:** *In re Parmalat Securities Litigation*, 04 MD 1653 (LAK)  
*John Hancock Life Insurance, et al. v. Bank of America Corporation, et al.*,  
07 CV 03790

Dear Judge Kaplan:

Our firm is counsel to Bank of America Corporation, Bank of America, N.A. and Banc of America Securities LLC ("Bank of America") in the Parmalat MDL matter *John Hancock Life Insurance Company, et al. v. Bank of America Corporation, et al.*, Case No. 07-C-03790. We are writing to request respectfully that the Court hold in abeyance a motion to compel that Bank of America filed on October 18, 2007 against Barclays Capital, Inc. and Barclays Bank PLC (collectively "Barclays") regarding document and deposition subpoenas directed to those non-party entities. The motion appears as item number 1535 on the MDL docket.

Bank of America and Barclays have been negotiating a potential resolution of the discovery dispute and are working diligently towards that goal. As noted in the motion to compel, fact discovery is set to conclude in the Hancock matter on October 25, 2007. Because resolution of the issues with Barclays either through successful negotiation or a ruling from the Court will likely require time beyond October 25, 2007, Bank of America therefore also respectfully requests that the Court allow discovery to remain open for the limited purpose of receiving testimony and documents from Barclays in connection with the outstanding subpoenas.

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*Requested provided  
all is concluded by 11/15/07*  
*10/24/07*